

**ORDER OF AN EXECUTIVE OFFICER  
CLOSED FOR TENANT ACCOMMODATION PURPOSES  
ORDER TO VACATE**

**To:** 2075236 Alberta Ltd. Manider Tut Karnail Tut  
"the Owner" "the owner" "the owner"

**And to:** All Occupant(s) of the following Housing Premises:

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
Suite 202, 11821 95 Street NW

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises pursuant to the provisions of the Public Health Act, RSA 2000, c. P-37, as amended;

**AND WHEREAS** such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. There was extensive water damage on the ceiling throughout the unit. The living room ceiling was water stained and the bedroom ceiling was water stained and bowing.
- b. There was extensive water damage on the bedroom wall. There was mould growing on the wall and the wall finish was in disrepair.
- c. The bedroom carpet flooring was damp and the conditions supported mould growth and poor air quality.
- d. The kitchen linoleum flooring was damaged. Sections of flooring were worn to the subfloor and the floor could no longer be easily cleaned.
- e. Sections of the hallway linoleum flooring was damaged. It was ripped and lifting and sections of the subfloor was exposed.
- f. There were sections of baseboards missing in the hallway.
- g. The light in the hallway and in the front closet were not working.
- h. The light in the bathroom keeps cutting out.
- i. Numerous electrical outlets in the unit were not working. Some were missing cover plates or short circuited. There was extensive water staining noted around light fixtures.
- j. The bathroom bathtub faucet was leaking and water was getting behind the tile surround.
- k. The tile bathtub surround was damaged. There were loose tiles and there was no longer a watertight seal.
- l. The bathroom sink was worn and rusted. There was a hole in the hand basin.
- m. The toilet seat and lid were not properly secured and were loose.
- n. The kitchen faucet was leaking.
- o. The kitchen sink backs up.
- p. The closet doors throughout the premises were in disrepair. They were difficult to open and close.
- q. There was a section of damaged wall finish in the kitchen above the window.
- r. The patio window was not properly weatherproofed. Siding was missing on the exterior.
- s. There were cockroaches and other bugs in the unit. There were traps full of pests.
- t. The kitchen cupboard/drawers were in disrepair.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. Items (a, b, c, l, m, and p) are in contravention of section III (1) (c) of the Minimum Housing and Health Standards which states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- b. Items (d and q) are in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- c. Items (e and f) are in contravention of section III(5) of the Minimum Housing and Health Standards which states that: All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
- d. Items (g, h, i) are in contravention of section IV (11) of the Minimum Housing and Health Standards which states that: Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- e. Items (j, n, and o) section IV (6) (c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- f. Item (k) is in contravention of section III (5) (a) of the Minimum Housing and Health Standards which states that: Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.
- g. Item (r) is in contravention of section III (2) (b) (i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- h. Item (o) is in contravention of section IV (6) (a) of the Minimum Housing and Health Standards which states that: The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- i. Item (s) is in contravention of section V (16) (a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the premises be vacated on or before February 15, 2019.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Identify and correct the source of water infiltration into the unit.
  - b. Retain the services of an Environmental Consultant or Industrial/Occupational Health Hygienist prior to the commencement of renovation or repairs.

As this building was built prior to 1991, the presence of asbestos within building materials is likely thus all precautions must be taken. The consultant must assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials.

In the event asbestos is present provide Environmental Public Health with a written asbestos management/abatement plan in accordance with the Alberta Occupational Health and Safety Code for Asbestos abatement. Ensure proper removal/handling of impacted materials follow current codes and standards.

Have the environmental consultant assess the conditions within the above noted premises for all water damaged materials and mould. The assessment must include the wall, ceiling and floor cavities. A full pre mould remediation inspection report is required. At a minimum, the report must describe the building construction, finishes, materials and components and recommendations for restoration.

All hazardous building materials are to be properly managed and disposed of in accordance with government standards and guidelines and industry codes of practice.

Once the water damaged materials have been removed a post mould remediation report is required this will include environmental air quality sampling and photographic evidence that all mouldy material has been. Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol.

- c. Replace all damaged material with material that is in good repair and easy to clean. This includes the material in the bedroom, living room, kitchen, hallway and bathroom.
- d. Repair or replace the kitchen flooring so it is in good repair and can be easily cleaned.
- e. Repair or replace the hallway linoleum flooring so it is in good repair and can be easily cleaned.
- f. Install baseboards in the hallway.
- g. Hire a qualified electrician to assess all electrical components in the unit and serving the unit. All concerns and items identified by the electrician must be addressed. A copy of the report must be provided to this office. All lights, outlets, fixture and systems must be in good repair.
- h. Repair the bathroom tap so it is free of leaks. Ensure all plumbing fixtures are in good repair and free of leaks.
- i. Repair or replace the tub surround so it is in good repair, smooth and non-absorbent to moisture.
- j. Repair or replace the toilet seat and lid so it is in good repair.
- k. Replace the bathroom sink so it is in good repair.
- l. Repair the kitchen tap so it is free of leaks.
- m. Have a qualified individual determine the cause of the back-up in the premises and take all necessary measures to prevent it from occurring again. Provide our office with a copy of the report outlining the concerns noted and repairs taken.
- n. Repair or replace the closet doors so they are in good repair and can be easily opened and closed.
- o. Repair the section of damaged wall finishes in the kitchen above the window.
- p. Finish the patio window so it is properly weatherproofed.
- q. Take any necessary action to eliminate the suite of pests. This includes:
  - Treat all affected areas and provide this office with detailed documentation of the pest control activities completed and/or pest control reports.

- Utilize IPM (Integrated Pest Management) techniques to control the infestation.
- Provide tenant(s) with proper education regarding preparation requirements prior to treatment.
- Continue pest control measures until the infestation has been cleared.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Edmonton, Alberta, January 10, 2019  
Verbal Order given to Harry Tut on January 9, 2019

\_\_\_\_\_(Original Signed)\_\_\_\_\_

Meaghen Allen, BSc, BEH, MPH, CPHI(C)  
Executive Officer  
Alberta Health Services

You have the right to appeal

A person who a) is directly affected by a decision of a Regional Health Authority, and  
b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board  
c/o Central Reception  
Main Floor, ATB Place North Tower  
10025 Jasper Avenue NW  
Edmonton, Alberta, T5J 1S6  
Phone: 780-222-5186  
Fax: 780-422-0914  
Email: [HealthAppealBoard@gov.ab.ca](mailto:HealthAppealBoard@gov.ab.ca)  
Website: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).

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Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)

Order of an Executive Officer

RE: Those premises located in Edmonton, Alberta and municipally described as: 11821 95 Street NW

Page 5 of 5

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Edmonton • 106 Street Building • Environmental Public Health

Suite 700, 10055 – 106 Street, Edmonton, Alberta, Canada T5J 2Y2

[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)